IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.34175 of 2008
AWADHESH KUMAR SINGH SON OF SRI RAM PUKAR SINGH
RESIDENT OF VILLAGE DUBAULI,P.S.BAIKUNTHPUR,DISTRICT GOPALGANJ
Versus
STATE OF BIHAR

3/ 18.11.2008 Heard learned counsel for the petitioner, learned A.P.P. and learned counsel appearing for the informant.

The petitioner is an accused of a case which has been registered for offences under Sections 418,419,420,467 and 468 of the Indian Penal Code on the basis of the written report of informant Shushila Devi, Headmistress of Rajkiya Prathmik Vidyalaya, Dubauli (Kanya). She in her written report has stated that she had issued a Cheque of Rs.5,000/-(five thousand) in favour of the petitioner but words of writing of the cheque was interpolated and Rs.85,000/-(eighty five thousand) was withdrawn by him.

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The plain submission of the learned counsel for the petitioner is that, in fact, a cheque of Rs.85,000/- was issued and in counter foil, the informant has noted Rs.5,000/- and that is her personal paper. Further submission is that the present case has been lodged after more than 30 days and there is no explanation of delay in lodging the case. It is also submitted that the writing on the cheque is clear that words cannot be said to have been interpolated.

The prayer for bail of the petitioner has been opposed by learned A.P.P. and also by learned counsel appearing for the informant.

Considering the facts and circumstances of the case, let the above named petitioner be released on

bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in Baikunthpur P.S.case No. 232 of 2007.

Tahir/- **(Shyam Kishore Sharma, J.)**

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